

# Staff Summary Report



To: Mayor and City Council  
Through: City Manager

Agenda Item Number \_\_\_\_  
Meeting Date: 08/01/02

**SUBJECT: MARK TAYLOR DEVELOPMENT**  
**#ZON-2002.03 #SBD-2002.35 #SIP-2002.34**

**PREPARED BY:** DeeDee (D<sup>2</sup>) Kimbrell, Planner II (480-350-8331)

**REVIEWED BY:** Steve Venker, Planning & Zoning Manager (480-350-8331)

**BRIEF:** This is the first public hearing for Mark Taylor Development for a zoning change from I-2 to R-3 and C-1, a Preliminary and Final Subdivision plat and a site plan with variances at 1720 East Broadway Road.

q-j

**COMMENTS: PLANNED DEVELOPMENT (0406)** Hold the first public hearing for **MARK TAYLOR DEVELOPMENT** (Sunbelt Management Company, Jeff Smith, property owner) for a zoning change from I-2 to R-3 and to C-1, a site plan for 276 apartment units, and 26,139 s.f. of retail space, all on 17.92 net acres, located at 1720 East Broadway Road. The following approval is requested from the City of Tempe:

**#ZON-2002.03 ORDINANCE NO. 808.2002.04** A zoning change from I-2, General Industrial to R-3, Multi-Family Residential Limited on 16.24 gross acres (Parcel C), and to C-1, Neighborhood Commercial on 4.57 gross acres (Parcels A and B).

**#SBD-2002.35** A Preliminary and Final Subdivision plat for three parcels on 17.92 net acres.

**#SIP-2002.34** A site plan for 276 two and three story high apartment units (80 one-bedroom units, 156 two-bedroom units, and 40 three-bedroom units) on 14.58 net acres (Parcel C), a 14,139 s.f. commercial building on 1.75 net acres (Parcel A), and a 12,000 s.f. building for retail shops on 1.59 net acres (Parcel B). **(Please see list of variances on Attachment #3.)**

**Document Name:** 20020801devsrh04 **Supporting Documents:** Yes

**SUMMARY:** Mark Taylor Development is requesting to develop a mixed-use project on a large undeveloped parcel at the northwest corner of Broadway Road and McClintock Drive. There are two components to this project. The first is residential, which seeks a zoning change from I-2 to R-3 to accommodate the multi-family proposal for 276 apartment units for the north two-thirds of the site on 14.58 net acres. The second component of this project is commercial which is also seeking a zoning change from I-2 to C-1 to accommodate the proposed commercial portion, which consists of approximately 26,139 s.f. along the street frontage of Broadway Road with a 14,139 s.f. drug store proposed at the northwest corner of Broadway Road and McClintock Drive that also includes 12,000 s.f. of in-line retail space to the east, all on 3.34 net acres. This plan proposes to integrate neighborhood retail with multifamily housing with the corner drug store and in-line retail shops along Broadway Road. Staff recommends approval subject to conditions. To date, one citizen spoke in opposition at the Planning Commission meeting and staff has received several letters of support, which staff has available upon request. Planning Commission approved the proposal by a 5-1 vote at their meeting on June 25, 2002.

**RECOMMENDATION:** Staff – Approval  
Public – Support and opposition

- ATTACHMENTS:**
1. List of Attachments
  - 2-3. History & Facts / Description
  - 4-5. Comments
  - 6-7. Reasons for Approval / Conditions of Approval
- 
- A. Location Map
  - B. Aerial
  - C. Site Plan
  - D. Floor Plan
  - E. Elevations (Residential)
  - F. Elevations (Commercial)
  - G. Conceptual Landscape Plan
  - H. Subdivision Plat
  - I. Letter of Explanation/Intent
  - J. Ord. No. 808.2002.04
  - K. Planning Commission Minutes – 6/25/02

## **HISTORY & FACTS:**

<u>April 6, 1969.</u>	Building permit was issued for a dry cleaning plant.
<u>June 11, 1969.</u>	Design Review Board approved Fed-Mart Automotive Center.
<u>July 25, 1972.</u>	Board of Adjustment approved a Use Permit for a service station with 2 gas pumps.
<u>October 19, 1972.</u>	Board of Adjustment approved signs, site plan, and landscaping for the service station.
<u>November 1, 1974.</u>	Design Review Board approved a service station addition.
<u>October 20, 1982.</u>	Design Review Board approved building elevations, site and landscape plans for Furniture Castle Inc.
<u>September 28, 1983.</u>	Board of Adjustment approved a use permit for Auto Stoppe to operate a public garage.
<u>November 28, 1984.</u>	Board of Adjustment approved a use permit for Phil Bramsen Distributor, Inc. to operate a public garage (tire sales and related automotive service).
<u>February 24, 1988.</u>	Board of Adjustment approved a use permit request by Sport One to allow a retail automobile accessory business.
<u>June 25, 2002.</u>	Planning Commission approved this request by Mark Taylor Development by a 5-1 vote for a zoning change from I-2 to R-3 and to C-1, a site plan for 276 apartment units, and 26,139 s.f. of retail space, all on 17.92 net acres, located at 1720 East Broadway Road.
<u>July 17, 2002.</u>	Design Review Board approved building elevations, site plans, and landscape plans for 276 apartment units and a 14,129 s.f. building (Eckerd Drugs) located at 1720 & 1750 East Broadway Road.

## **DESCRIPTION:**

Owner – Sunbelt Management Company, Jeff Smith  
Applicant – Stephen C. Earl  
Architect – Architectural Design Group, Rob Orme  
Attorney – Earl, Curley & Lagarde, P.C., Stephen C. Earl

### Multi-family rezoning and site plan (Parcel C)

Existing zoning – I-2

Proposed zoning – R-3

Total site area – 14.58 net acres

Number of units proposed – 276 units

Density allowed – 20 du/acre

Density proposed – 18.9 du/acre

Maximum height allowed – 30 feet

Proposed height – 40 feet (requested variance)

Lot coverage – 23%

Parking required -

80 1 BR @ 1.5/unit = 120 spaces

156 2 BR @ 2.0/unit = 312 spaces

40 3 BR @ 2.5/unit = 100 spaces

guest – 276 units @ .2/unit = 55 spaces

Total = 587 spaces required

Total parking provided – 607 spaces

RV parking required – R.V. 1 space per 10 units /2 = 14 spaces

RV parking provided – 0 spaces (requested variance)

Bicycle parking required – 276 spaces

Bicycle parking provided – 144 spaces (requested variance)

Landscaping – 47%

Variance (R-3, Multi-Family Residential Limited, Parcel C):

1. Increase the maximum allowed building height from 30 feet to 40 feet.
2. Reduce the minimum required front yard building setback from 25 feet to 15 feet, along the south side property line.
3. Reduce the minimum required street side yard building setback from 25 feet to 14 feet, along the east property line (McClintock Drive).
4. Reduce the minimum required side yard building setback from 10 feet to 9 feet, along the west property line.
5. Reduce the minimum required rear yard building setback from 15 feet to 5 feet and eliminate the 6 feet landscaping strip buffer for the length of the parking garages labeled as G2, G3, and G4, along the north side property line.
6. Reduce the minimum required courtyard separation for buildings 1 through 20 from 50 feet to 22 feet, and from 40 feet to 24 feet for buildings 21 and 22.
7. Reduce the minimum required bicycle parking spaces within the Arizona State University Commuting Area from 276 to 144 spaces.
8. Reduce the minimum required number of recreational vehicles parking spaces from 14 to 0.
9. Reduce the minimum required landscape setback from 25 feet to 14 feet along the east property line and from 25 feet to 15 feet along the south property line.

Commercial center rezoning (Parcels A & B)

Existing zoning – I-2

Proposed zoning – C-1

Total site area – 3.34 net acres

	<u>Parcel A</u>	<u>Parcel B</u>
Net site area –	1.75 acres	1.59 acres
Total building area –	14,139 s.f.	12,000 s.f.
Lot coverage –	21%	24%
Parking required –	69 spaces	48 spaces
Total parking provided –	70 spaces	94 spaces
Bicycle parking required –	10 spaces	10 spaces
Bicycle parking provided –	8 spaces	8 spaces
Landscaping –	31%	28%

Subdivision Plat

Number of parcels proposed – 3 parcels

Total site area: 17.92 net acres

<u>Parcel A</u>	<u>Parcel B</u>	<u>Parcel C</u>
1.75 acres	1.59 acres	14.58 acres

**GENERAL PLAN  
CONFORMANCE:**

The Projected Land Use Map of **General Plan 2020** currently indicates this site as Mixed Use. This is the category that encourages creatively designed projects that combine uses. As proposed, this project meets the intent of **General Plan 2020** by providing residential with commercial uses.

**COMMENTS:**

Mark Taylor Development is proposing to develop a mixed-use project on a large undeveloped parcel at the northwest corner of Broadway Road and McClintock Drive. There are two components to this project. The first is residential, which includes a zoning change from I-2 to R-3 to accommodate the multi-family proposal for 276 luxury apartment units on 14.58 net acres. The second component of this project is commercial which includes a zoning change from I-2 to C-1 to accommodate the proposed commercial portion, which consists of approximately 26,139 s.f. along the street frontage of Broadway Road with a 14,139 s.f. drug store proposed at the northwest corner of Broadway Road and McClintock Drive and 12,000 s.f. of in-line retail space to the east, all on 3.34 net acres..

This site has been undeveloped for the past 20 plus years. Although the site is quite large and technically has frontage on two major streets, it becomes quite challenging to develop due to the depression of McClintock Drive under the railroad tracks to the north, which allows for only one possible access drive along McClintock Drive.

The developer's request for rezoning from I-2 to R-3 accommodates their site plan proposal for a 276 unit luxury apartment project, which will encompass approximately 14 acres of this two part mixed use development plan. Average unit sizes are approximately 950 s.f. Each unit will contain either private balconies or patios, arched windows, storage rooms and walk-in closets. Also included in the site plan are project amenities, 4,000 s.f. clubhouse, social hall with kitchen and bar facilities, fitness center, cabana, heated pool and spa and a sand volleyball court. Various ramadas with lighted fans and gas barbecues will be spread throughout the project. Also included in the design is a parking courtyard and focal point with a water feature located in the middle of the complex.

The proposed apartment site plan contains a combination of two-story and three-story buildings. The two-story units have been placed at locations on the perimeter of the property in order to provide some visual relief from the adjacent properties. The three-story components have been concentrated at the center of the site and along the north property line where this visibility issue is minimized. Architectural elements typically utilized in valley wide Mark Taylor's project will once again be apparent in this Tempe project. It will consist of "up scale" building designs utilizing stucco exteriors, tile roofs and distinctive architectural features. The site provides an abundance of landscaping which is in excess of ordinance requirements.

Access to the apartment community is identified by a porte cochere and guardhouse, which provides limited access only by Broadway Road. An emergency access drive, via McClintock Drive, has been designed to be closed at all times except for emergency purposes.

Nine variances are being requested with this proposal. Most of the variances for this apartment project are also typical of recent projects in this density range. Variance #1 is a request to increase the allowable building height from 30 feet to 40 feet in the R-3 Zoning District. This request is to accommodate the proposed Mediterranean architectural style with high interior ceilings of 9 feet and the potential for onsite grade changes. Variance #6 is a reduction of the minimum required courtyard separation for buildings 1 through 20 from 50 feet to 22 feet, and from 40 feet to 24 feet for buildings 21 and 22 while avoiding a "barrack-style" layout. Variance #7 is a request to reduce the minimum required bicycle parking spaces within the Arizona State University Commuting Area from 276 to 144 spaces. The owner/applicant believes they will not need the number required for the "ASU Commuting Area" because of the demographics associated with the complex. Next is variance #8, to reduce the minimum required number of recreational vehicles parking spaces from 14 to 0. Based on similar projects, the owner/applicant has determined that recreational vehicle parking spaces are not going to be needed or used.

The remaining variances are for required building and landscape setbacks. Variance #2 is a request to reduce the minimum required front yard building setback from 25 feet to 15 feet, along the south property line. This is the boundary between the retail and the apartments and actually functions like an interior yard not a front yard. Variance #3 is a request to reduce the minimum required street side yard building setback from 25 feet to 14 feet, along the east property line (McClintock Drive) to accommodate the garage structure. Variance #4 is a request to reduce the minimum required side yard building setback from 10 feet to 9 feet, along the west property line for the porte cochere columns and the garage structure. Variance #5 is a request to reduce the minimum required rear yard building setback from 15 feet to 5 feet and eliminate the 6 feet landscaping strip buffer for the length of the parking garages labeled as G2, G3, and G4, along the north property line. The last variance #9 is a request to reduce the minimum required landscape setback from 25 feet to 14 feet along the east property line and from 25 feet to 15 feet along the south property line.

The developer is also requesting rezoning from I-2 to C-1 for two parcels totaling 3.34 acres for a drug store and a retail building to accommodate the proposed commercial portion, which consists of approximately 26,139 s.f. along the street frontage of Broadway Road. This plan proposes to integrate neighborhood retail with multifamily housing with the corner drug store and in-line retail shops along Broadway Road. All buildings will be required to maintain architectural compatibility through design and will require additional processing through the Design Review Board.

Staff believes Mark Taylor's project achieves the **General Plan 2020** goals by encouraging a mix of uses and to maximize residential density for environmental reasons, and to maximize quality of development both for economic reasons and to preserve neighborhoods. Both uses on the site appear to be well integrated and are of an acceptable quality with adequate on-site circulation and driveway locations. Therefore, staff is in support of this project as presented and believes the variances will not be detrimental to the surrounding properties. To date, staff has received several letters of support and one citizen spoke in opposition at the Planning Commission meeting. Planning Commission approved the proposal by a 5-1 vote at their meeting on June 25, 2002.

**REASON(S) FOR  
APPROVAL:**

1. The proposed R-3 zoning and density of the project are in concert with the goals, principles and policies of **General Plan 2020** and existing surrounding land uses.
2. The proposed variances appear to function in an acceptable manner and should have no detrimental effects on adjacent properties and appears to pass the ordinance test.
3. The proposed apartment project appears to be of an acceptable quality with adequate site circulation, amenities and open space.
4. The proposed subdivision plat appears to conform to current technical standards and requirements of Subdivision Ordinance No. 99.21.

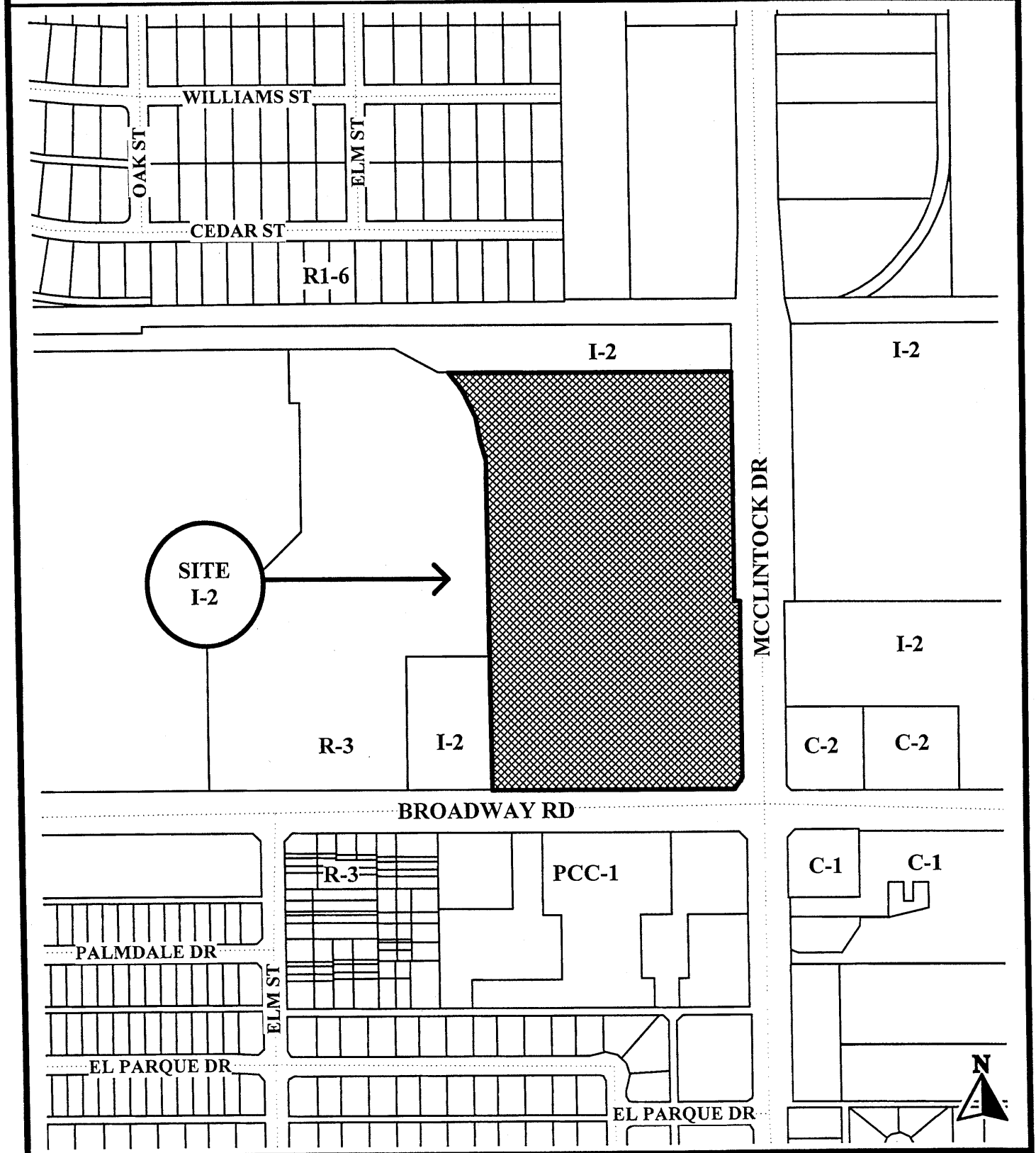
**CONDITION(S)  
OF APPROVAL:**

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
- b. Off-site improvements to bring roadways to current standards include:
  - (1) Water lines and fire hydrants
  - (2) Sewer lines
  - (3) Storm drains.
  - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.

- c. Fees to be paid with the development of this project include:
  - (1) Water and sewer development fees.
  - (2) Water and/or sewer participation charges.
  - (3) Inspection and testing fees.
- d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
- 2. a. All street dedications shall be made within **one (1) year** of Council approval (**August 8, 2002**). (**MODIFIED BY COMMISSION**)
- b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
- c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe - Section 25.120.
- 3. The applicant/owner shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.
- 4. No variances may be created by future property lines without the prior approval of the City of Tempe.
- 5. A valid building permit shall be obtained and substantial construction commenced **on or before August 8, 2003** or the variances shall be deemed null and void.
- 6. A building permit shall be obtained and substantial construction commenced **on or before August 8, 2004** or the zoning shall revert to that in place at the time of application, subject to a public hearing.
- 7. The applicant shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
- 8. The applicant shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.
- 9. The Final Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe Development Services Department **on or before, August 8, 2003**. Failure to record the plan within one year of Council approval shall make the plan null and void.

# MARK TAYLOR DEVELOPMENT

**SIP-2002.34**  
**SBD-2002.35**



Location Map

**A**





**ARCHITECTURAL  
DESIGN GROUP**  
6623 North Scottsdale Road  
Scottsdale, Az. 85250  
**480-991-9111**

480-991-9111

[illegible]

Mark-Taylor Development  
Broadway & McClintock  
N.W.C. Broadway & McClintock  
Tempe, Arizona



Job No.	9068	Send file	
Date	Jan 27, 2002		
Score	As shown		SP1
Drawn	RO		
Checked	RO		
Page Check No.			

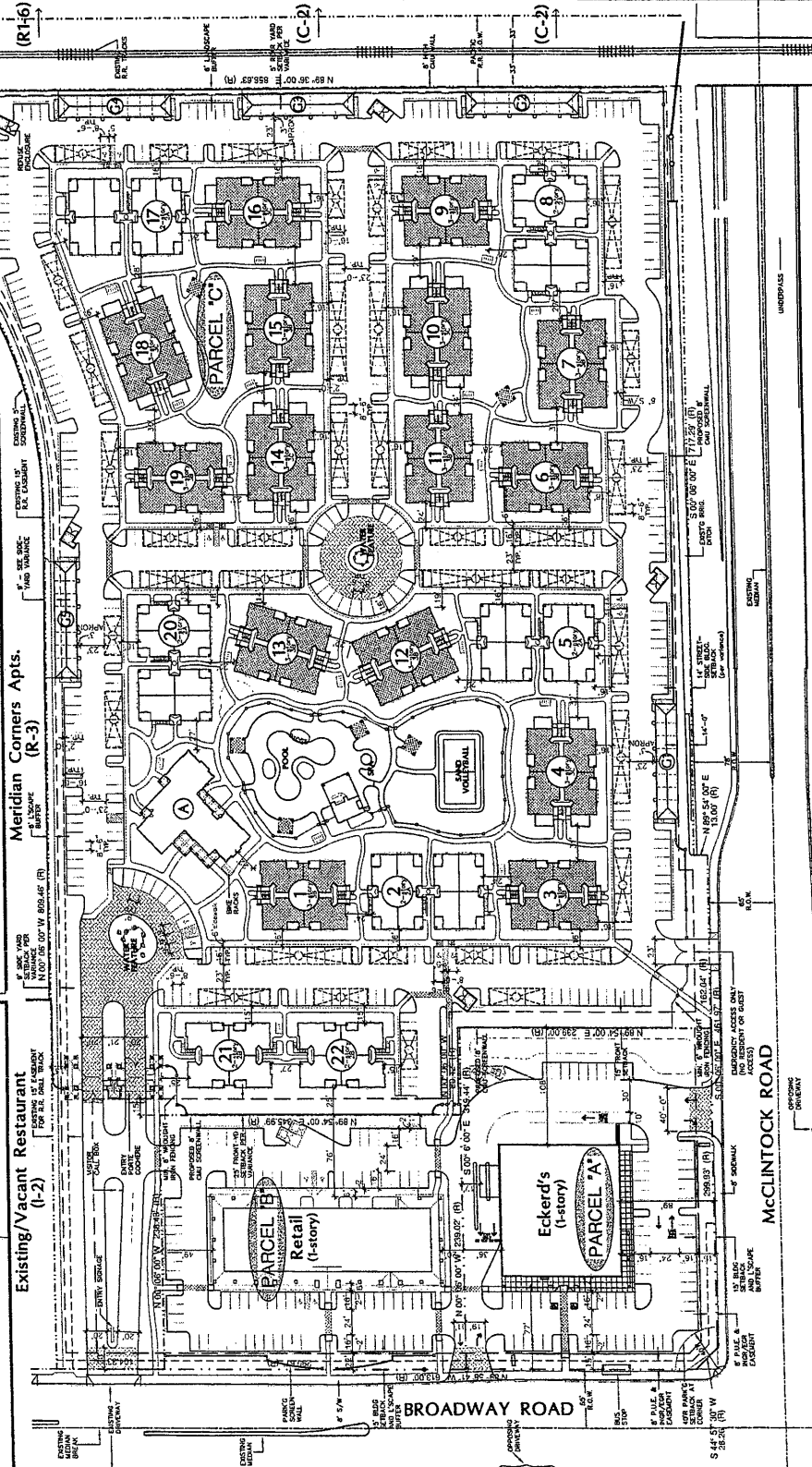
PROJECT DATA		(Multi-Family)		PARCEL #C*	
PROJECT ADDRESS : N.W.C. Broadway & Northland Tulsa, Arizona	BUILDING COVERAGE: 1-2	MANUSCRIPT FORWARDED: 40% of NET LOT = 254,104 SQ. FT.			
ZONING: EXISTING: R-1		40% of NET LOT = 144,228 SQ. FT.			
USE: PROPOSED: MULTI-FAMILY		23% of NET LOT = 189,378 SQ. FT.			
STATE: ARIZ. (NET):	14.50 Net Acre	REQUIRED: LOT = 300,849 SQ. FT.			
SITE AREA (NET):	20.00	47% of NET LOT = 357,474 SQ. FT.			
DENSITY: ALLOWS: (R-3)	20 D.U. per NET ACRE	MAX. ALLOWABLE: MAX. PROPOSED:			
	16.9 D.U. per NET ACRE				
BUILDING HEIGHT: (2 & 3-STORY)					
LAND MIX:					
BORNS		TYPE	QUANTITY	RATIO	TOTAL
1 BORNI		A1-1	40	14%	39%
		B2-1	44	16%	
		B2-2	44	16%	57%
		B2-3	24	9%	
		B2-4	24	9%	14%
		C3-1	40	14%	40%
TOTAL			276 D.U.	100%	100%
PARKING:-----		1 BORNI UNITS (NO.) = 1.5 SPACES			
		2 BORNI UNITS (NO.) = 2.0 SPACES			
		3 BORNI UNITS (NO.) = 2.5 SPACES			
		GUEST (1 space per 5 D.U.)			
		R.V. (Various)			
		TOTAL REQUIRED:-----			
		GARAGE COVERED:-----			
		UNCOVERED:-----			
		TOTAL PROVIDED:-----			
		SPACES/UNIT:-----			
		PROVIDED:-----			
		REMOVED (see worksheet)			
		REQUIRED:-----			

PROJECT DATA	
PARCEL "A"	PARCEL "B"
ZONING: C-1	ZONING: C-1
USE: RETAIL DRUG STORE	USE: RETAIL (MULTIPLE TENANT)
BLDG AREA (NET): 76,200 Sq. Ft. / 1,715 Net Acres	BLDG AREA (NET): 68,300 Sq. Ft. / 1,559 Net Acres
BLDG AREA (Gross (incl. on-street)) 14,130 S.F.	BLDG AREA (Gross (incl. on-street)) 12,000 S.F.
BLDG COVERAGE (net / on-street) 5.1%	BLDG COVERAGE (net / on-street) 5.1%
BUILDING HEIGHT: (1-STORY)	BUILDING HEIGHT: (1-STORY)
BLDG. HEIGHT: 35' 4"	BLDG. HEIGHT: 25' 0"
TYPE OF CONSTRUCTION: (MASONRY WALLS, WOOD PANEL ROOFING SYSTEM)	TYPE OF CONSTRUCTION: (MASONRY WALLS, WOOD PANEL ROOFING SYSTEM)
Automatic Fire Sprinkler System per City Ordinance	Automatic Fire Sprinkler System per City Ordinance
PAVING: 80	PAVING: 40
PROVIDED: 80	PROVIDED: 84
LANDSCAPING: 11,430 S.F.	LANDSCAPING: 10,696 S.F.
PROVIDED: 31%	PROVIDED: 22%


portion of the estimated quantity of asbestos in the material. The estimated quantity of asbestos in the material is based on the results of the sampling and analysis of the material. The estimated quantity of asbestos in the material is based on the results of the sampling and analysis of the material. The estimated quantity of asbestos in the material is based on the results of the sampling and analysis of the material.

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Map showing the location of the proposed site (indicated by a black square) relative to surrounding roads and landmarks. The site is located near the intersection of Rural Rd and Southern Ave, adjacent to the So. Pacific R.R. and Broodway Rd. Other nearby roads include Apache Blvd and University Dr. The word "SITE" is enclosed in an oval and connected to the black square by an arrow.



# Broadway & McClintock


 north  
 SCALE: 1" = 50'

# PRELIMINARY SITE PLAN

JUN 11 2002  
S/P. 2002.34





Mark-Taylor Development  
Broadway & McClintock  
N.W.C. Broadway & McClintock  
Tampa, Arizona



Date: Apr 23, 2002 Sheet No: 9068  
 Title: U-2  
 Author: As Shown  
 Rev: RO  
 Checked: RO  
 Flown Check No:

## 2-Bedroom Units

1,038 Sq. Ft.

UNIT FLOOR PLAN - B2-4 (24 units)

1,019 Sq. Ft.

UNIT FLOOR PLAN - B2-3 (44 units)

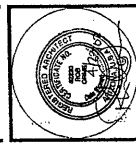
APR 30 2002

13 4189 2002 - 13-DIFM. R080. UNITS-B-sheet.DWG

APR 30 2002

3-Bedroom Unit

Project No. 9068  
Date: April 23, 2002  
Drawn: A.S. Brown  
Checked: R.D.  
Project Name: 3-Bedroom Unit



Mark-Taylor Development  
Broadway & McClintock  
Tempe, Arizona  
NWC Broadway & McClintock

SITE PLAN SUBMITTAL

Table with 2 columns: DATE, REVISIONS

ARCHITECTURAL  
DESIGN GROUP  
6024 North Scottsdale Road  
Scottsdale, AZ 85250  
480-991-9111

DOOR SCHEDULE

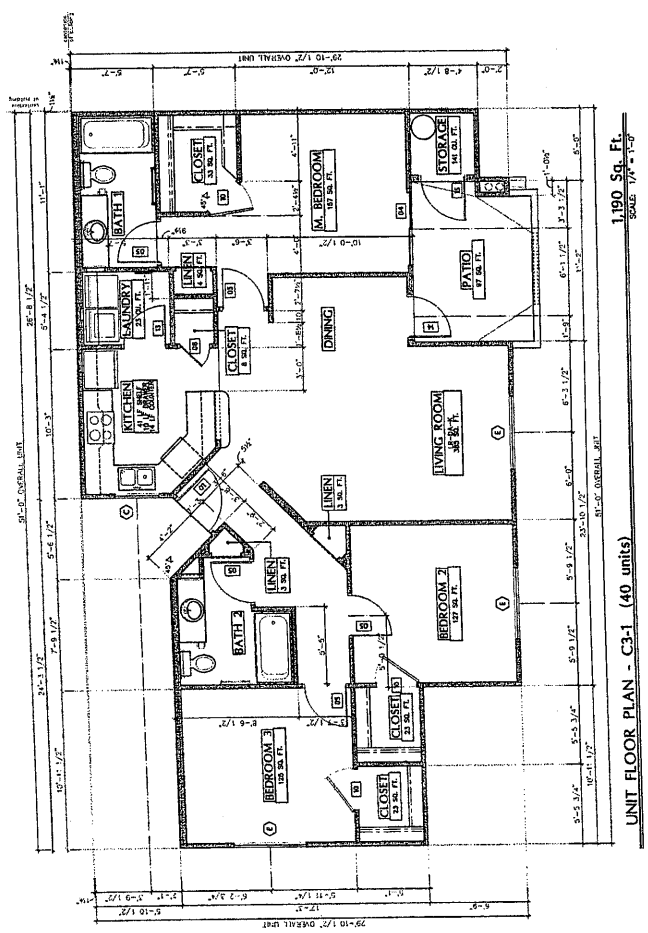
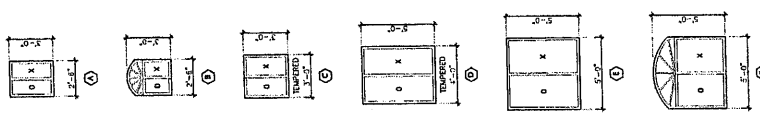
Table with 5 columns: MARK, SIZE, MATERIAL, TYPE, HARDWARE, REMARKS

ROOM FINISH SCHEDULE

Table with 5 columns: ROOM NAME, ROOM, BASE, WALLS, CEILING, REMARKS

WINDOW PROFILES

- GENERAL NOTES:  
A) ALL WINDOWS SHALL BE 1/2" MIN. CLEARANCE FROM FINISH SURFACES.  
B) PROVIDE PH-Locks on OPERABLE WINDOWS.  
C) PROVIDE INTEGRAL LOCKS WHICH AUTOMATICALLY ENGAGE AT 4" CRACK.

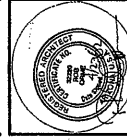


UNIT FLOOR PLAN - C3-1 (40 units)  
1,900 Sq. Ft.  
SCALE: 1/8" = 1'-0"

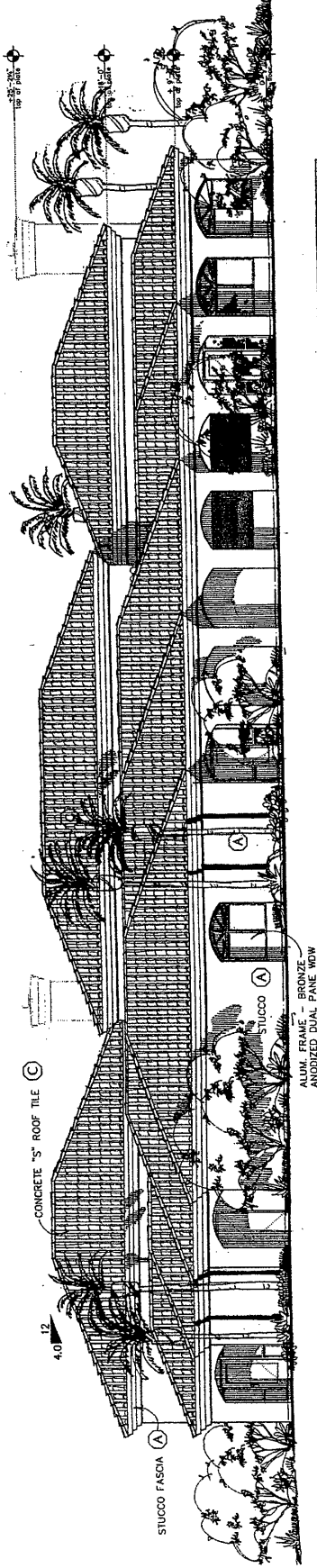


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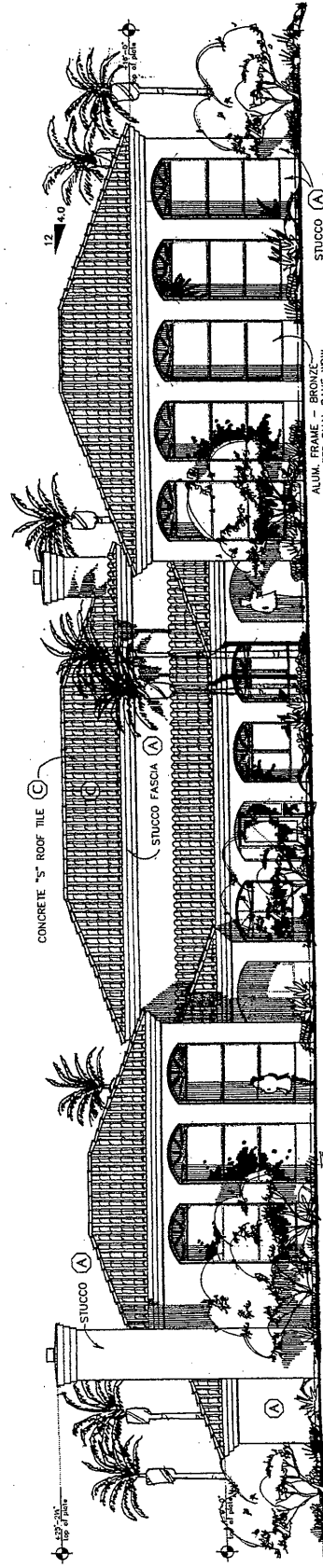
Mark Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111 (480) 991-9138



Job No. \_\_\_\_\_  
Scale \_\_\_\_\_  
Date \_\_\_\_\_  
Drawn by \_\_\_\_\_  
Checked by \_\_\_\_\_  
Project Name \_\_\_\_\_  
Sheet No. \_\_\_\_\_  
EL1



FRONT ELEVATION



REAR ELEVATION

MATERIALS & SURFACES :	
(A)	STUCCO & WINDOW PROJECTIONS:
(B)	METALS:
(C)	CONCRETE & PRECAST DECORATIVE PANELS:
(D)	DOORS:

Amenity Building Elevations

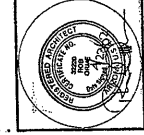
SIP. 2002.34

APR 30 2002

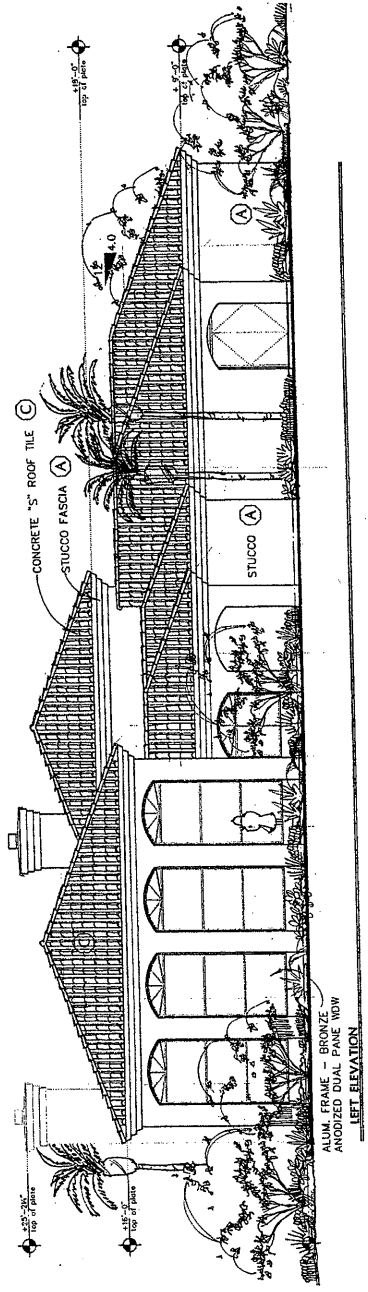


ARCHITECTURAL  
DESIGN GROUP  
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480-991-9111

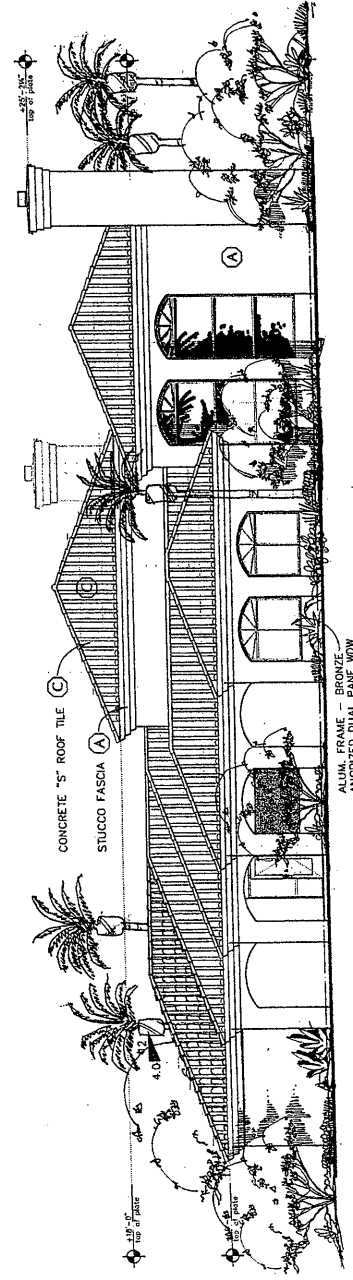
Mark Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111  
(480) 991-9138



Job No. \_\_\_\_\_  
Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Sheet: \_\_\_\_\_  
Project: \_\_\_\_\_  
Title: \_\_\_\_\_  
EL2



LEFT ELEVATION



RIGHT ELEVATION

MATERIALS & SURFACES :	
①	STUCCO & WINDOW PROJECTIONS:
②	STUCCO - WHITE PLASTER
③	METALS:
④	STUCCO - WHITE PLASTER
⑤	STUCCO - WHITE PLASTER
⑥	STUCCO - WHITE PLASTER
⑦	STUCCO - WHITE PLASTER
⑧	STUCCO - WHITE PLASTER
⑨	STUCCO - WHITE PLASTER
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⑪	STUCCO - WHITE PLASTER
⑫	STUCCO - WHITE PLASTER
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⑳	STUCCO - WHITE PLASTER
㉑	STUCCO - WHITE PLASTER
㉒	STUCCO - WHITE PLASTER
㉓	STUCCO - WHITE PLASTER
㉔	STUCCO - WHITE PLASTER
㉕	STUCCO - WHITE PLASTER
㉖	STUCCO - WHITE PLASTER
㉗	STUCCO - WHITE PLASTER
㉘	STUCCO - WHITE PLASTER
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㉝	STUCCO - WHITE PLASTER
㉞	STUCCO - WHITE PLASTER
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㊱	STUCCO - WHITE PLASTER
㊲	STUCCO - WHITE PLASTER
㊳	STUCCO - WHITE PLASTER
㊴	STUCCO - WHITE PLASTER
㊵	STUCCO - WHITE PLASTER
㊶	STUCCO - WHITE PLASTER
㊷	STUCCO - WHITE PLASTER
㊸	STUCCO - WHITE PLASTER
㊹	STUCCO - WHITE PLASTER
㊺	STUCCO - WHITE PLASTER
㊻	STUCCO - WHITE PLASTER
㊼	STUCCO - WHITE PLASTER
㊽	STUCCO - WHITE PLASTER
㊾	STUCCO - WHITE PLASTER
㊿	STUCCO - WHITE PLASTER

Amenity Building Elevations

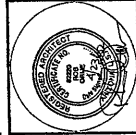
SLP 2002.34

APR 30 2002

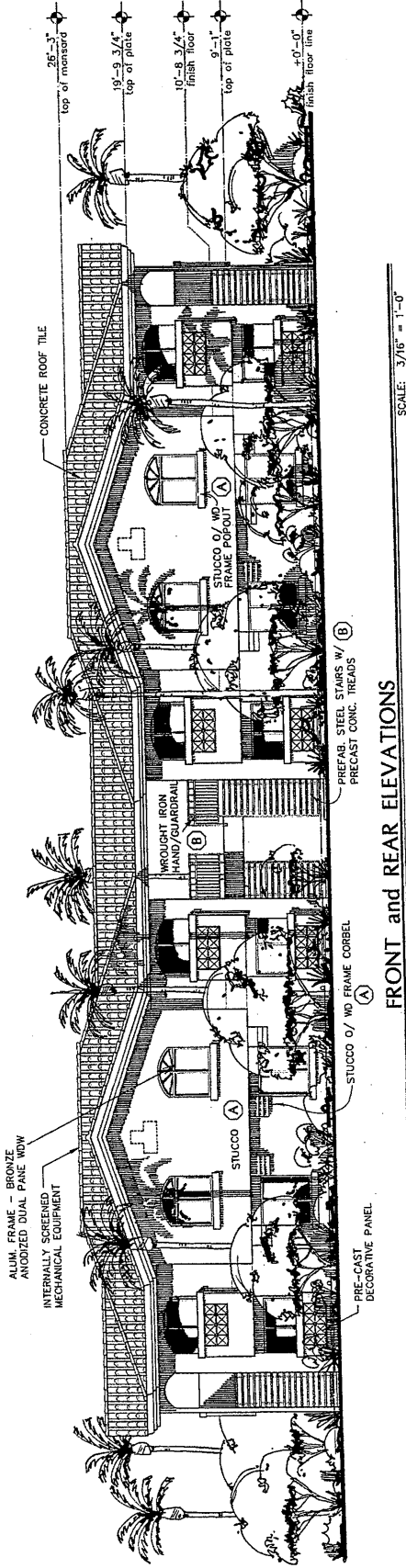


ARCHITECTURAL  
DESIGN GROUP  
6623 North Scottsdale Road  
Scottsdale, AZ 85250  
480-991-9111

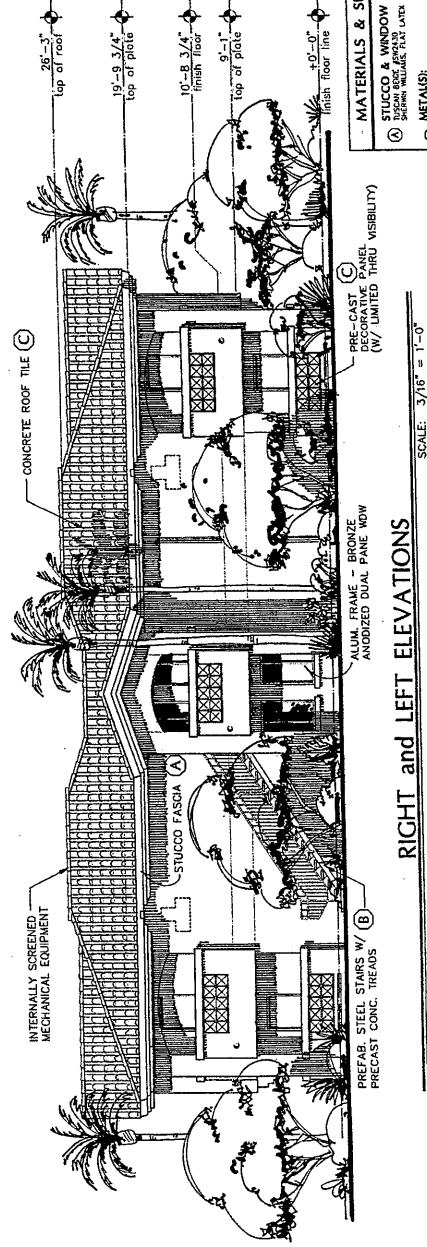
Mark Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111 (480) 991-9138



DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
EL3  
Per: Check No. \_\_\_\_\_



FRONT and REAR ELEVATIONS



RIGHT and LEFT ELEVATIONS

- MATERIALS & SURFACES :**
- (A) STUCCO & WINDOW PROJECTIONS:  
STUCCO: WHITE, TEXTURED  
WINDOW: WHITE, TEXTURED
  - (B) METALS:  
BRONZE ANODIZED ALUMINUM  
BRONZE ANODIZED STEEL
  - (C) ROOF TILE & PRECAST DECORATIVE PANELS:  
ROOF TILE: CONCRETE, GLAZED  
PRECAST DECORATIVE PANELS: CONCRETE, GLAZED
  - (D) FLOORING:  
FLOORING: CONCRETE, POLISHED

Exterior Elevations - Bldg 2A

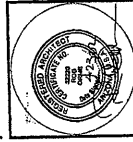
APR 30 2002

5/P. 2002.34

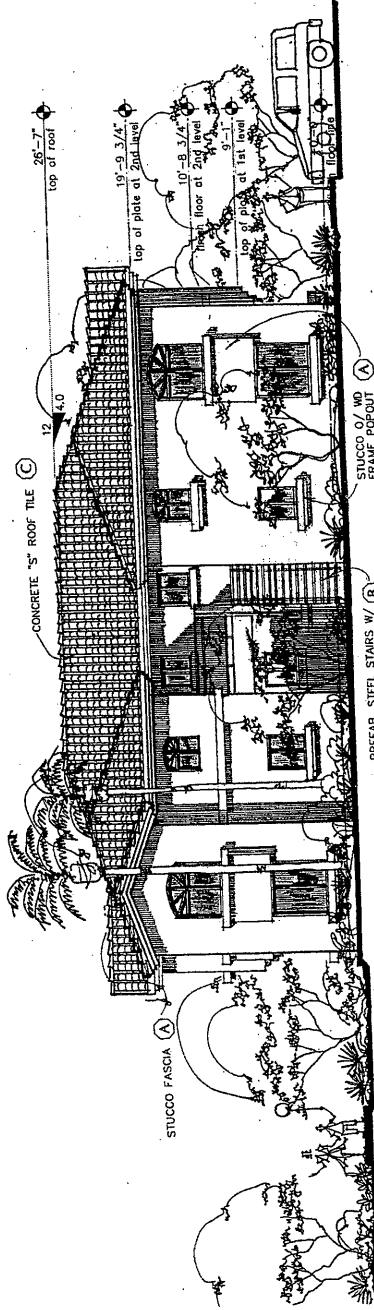


ARCHITECTURAL  
DESIGN GROUP  
6623 North Scottsdale Road  
Scottsdale, Az. 85250  
480-991-9111

Mark Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111 (480) 991-9138

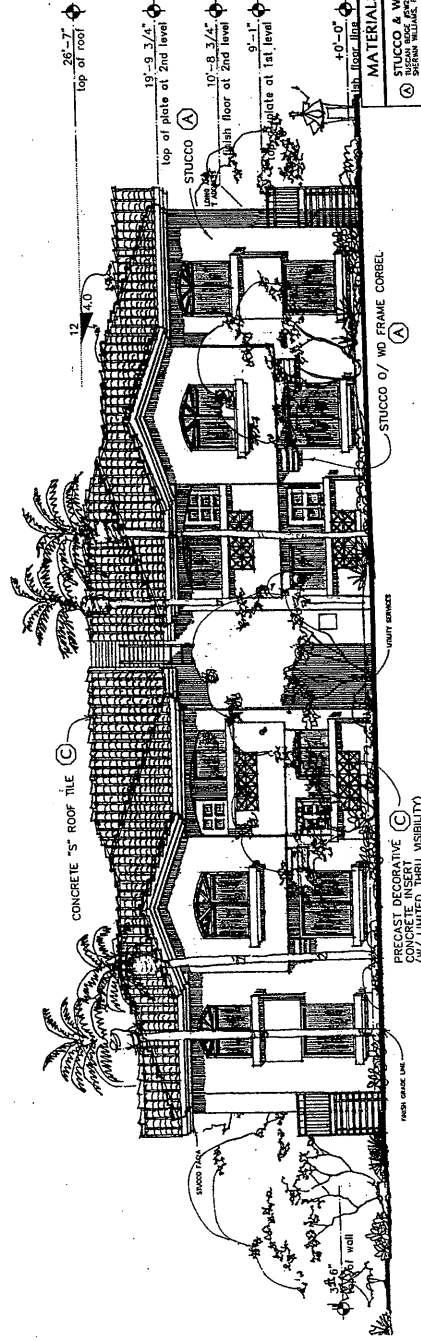


Sheet No.  
EL4  
Title  
Date  
Scale  
Project



SIDE ELEVATION

SCALE: 1/8" = 1'-0"



FRONT & REAR ELEVATION

SCALE: 1/8" = 1'-0"

MATERIALS & SURFACES :

- ① STUCCO & WINDOW PROJECTIONS:  
STUCCO: SUDAN WILGARD #P4320  
WINDOW: SUDAN WILGARD #P4320
- ② METALISE:  
METALISE: SUDAN WILGARD #P4320
- ③ ROOF TILE & PRECAST DECORATIVE PANELS:  
ROOF TILE: SUDAN WILGARD #P4320  
PRECAST DECORATIVE PANELS: SUDAN WILGARD #P4320
- ④ FLOORING:  
FLOORING: SUDAN WILGARD #P4320

Building Elevations - Bldg "2B"

APR 30 2002

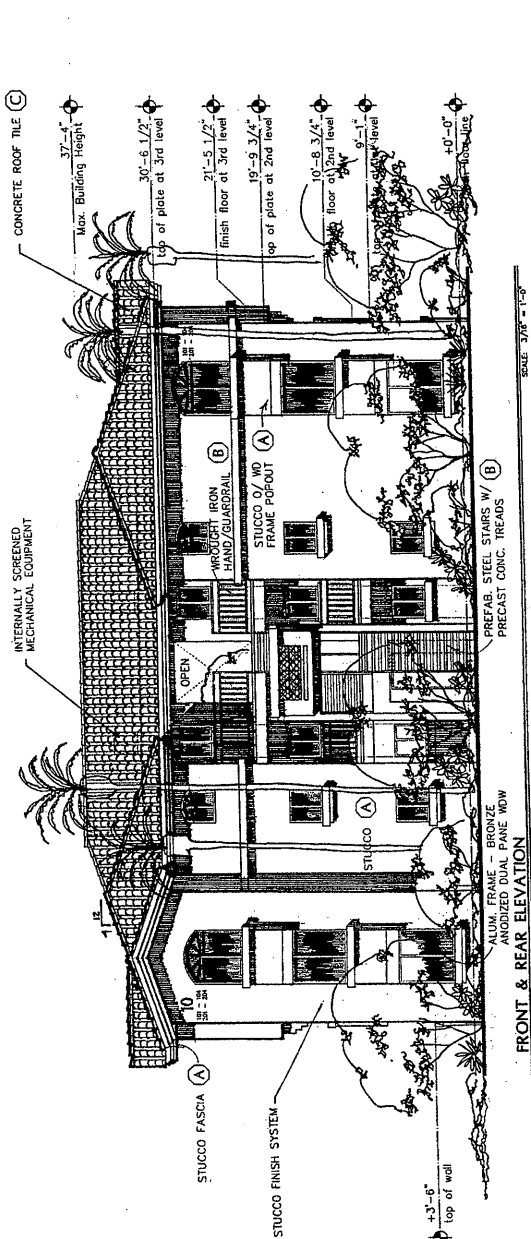
SIP. 2002.34



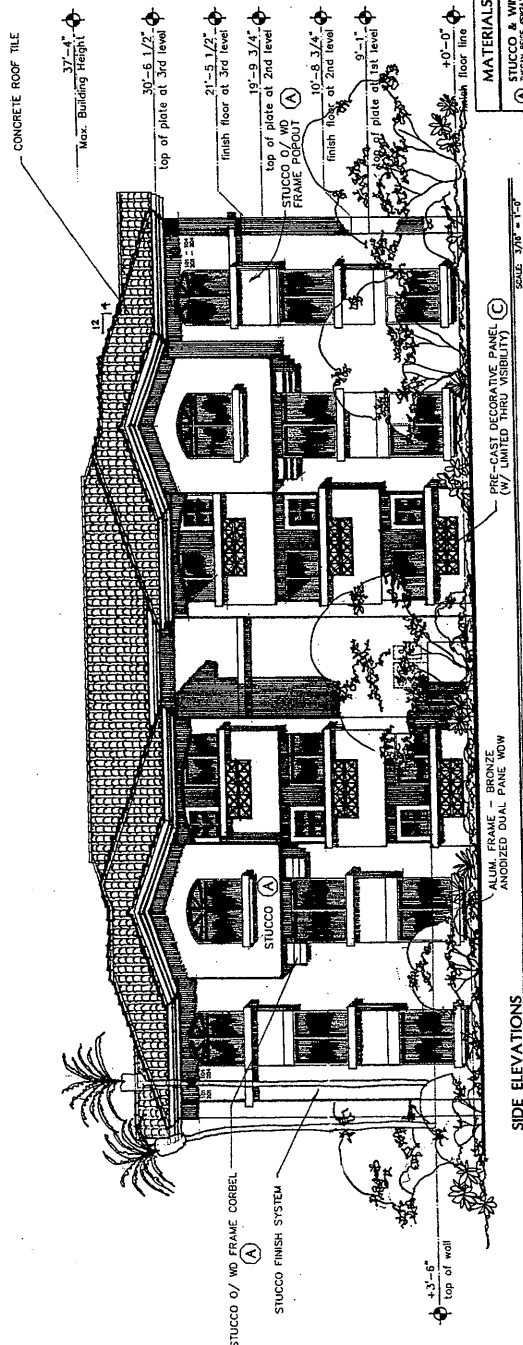
Mark W. Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111  
(480) 991-9138



Job #12 Sheet No. **EL5**



### FRONT & REAR ELEVATION



## SIDE ELEVATIONS

**MATERIALS & SURFACES :**

**(A) STUCCO & WINDOW PROJECTIONS:**  
DUGAN BECK POWELL  
DUGAN BECK POWELL  
DUGAN BECK POWELL

**(B) METAL(S):**  
GREEN WALLING  
GREEN WALLING

**(C) ROOF TILE & PRECAST DECORATIVE PANELS:**  
DUGAN BECK POWELL  
DUGAN BECK POWELL  
DUGAN BECK POWELL

**(D) DOORS:**  
BEACH HOUSE #3900H  
BEACH HOUSE #3900H

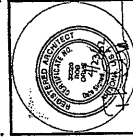
**Building Elevations - Bldg "3B"**

APR 30 2002

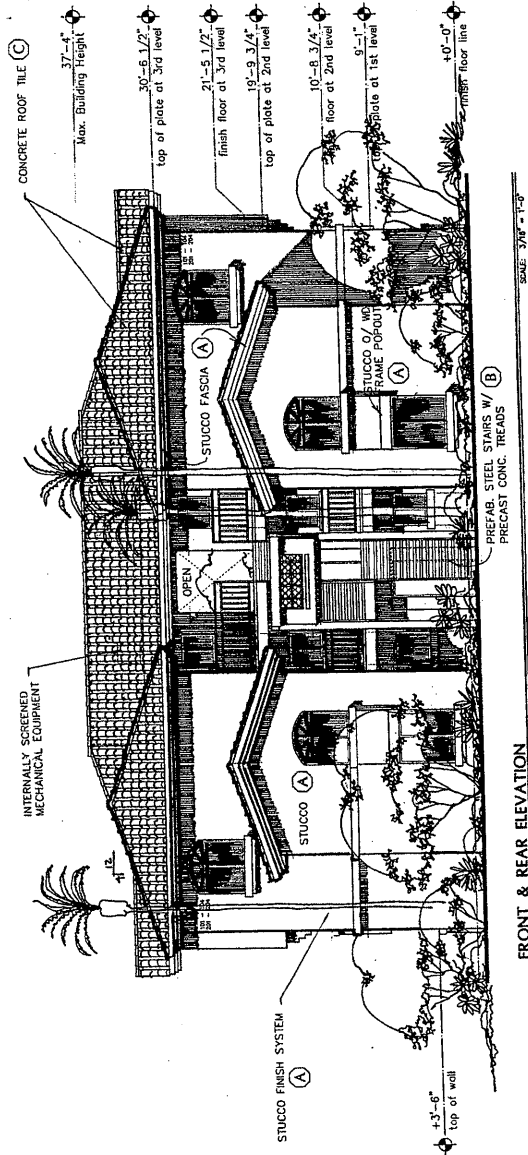


ARCHITECTURAL  
DESIGN GROUP  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111

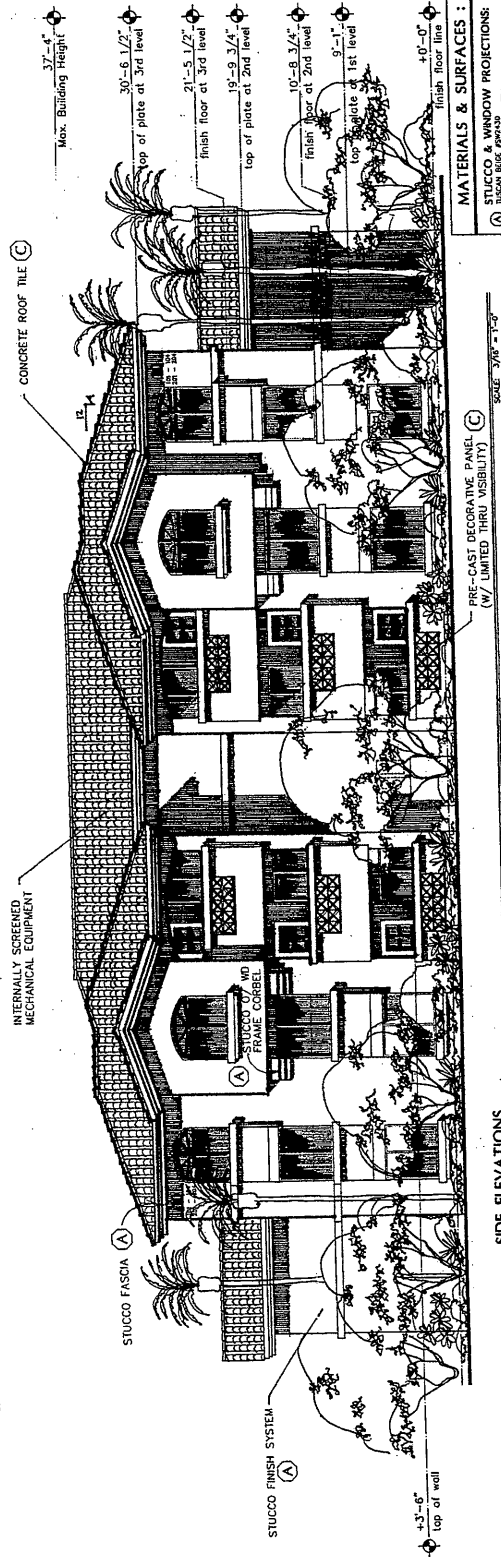
Mark Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(480) 991-9111  
(480) 991-9138



Job No.  
Date  
Scale  
Sheet  
Title  
EL6  
Per Client No.



FRONT & REAR ELEVATION



SIDE ELEVATIONS

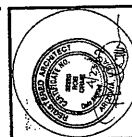
- MATERIALS & SURFACES :**
- (A) STUCCO & WINDOW PROJECTIONS:  
STUCCO: METALSKIN  
WINDOW: METALSKIN  
FINISH: METALSKIN
  - (B) METALSKIN:  
GREEN METALSKIN  
FINISH: METALSKIN
  - (C) ROOF TILE & PRECAST DECORATIVE PANELS:  
ROOF TILE: METALSKIN  
PRECAST DECORATIVE PANELS: METALSKIN
  - (D) DOORS:  
DOORS: METALSKIN  
FINISH: METALSKIN

Building Elevations - Bldg "3C"

APR 30 2002 SIP. 2002.34



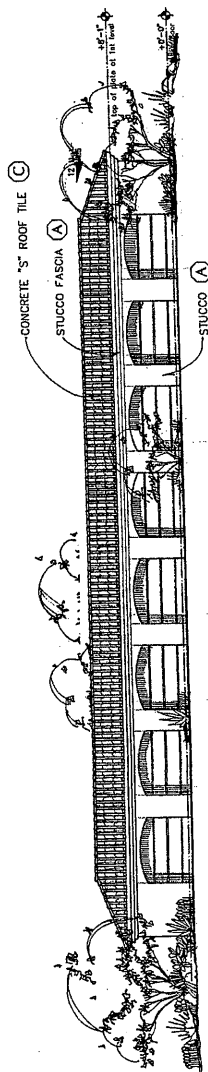
Mark W Taylor  
6623 North Scottsdale Road  
Scottsdale, Arizona 85250  
(602) 991-9111  
(602) 991-9138



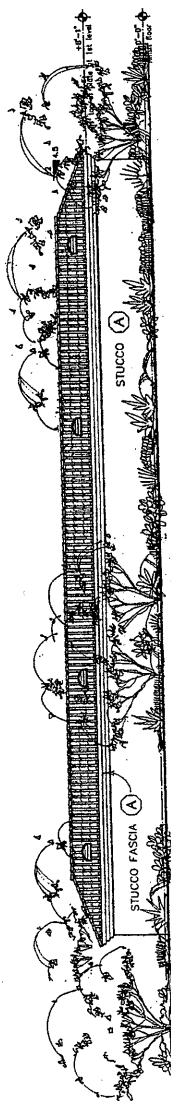
Add Size \_\_\_\_\_  
 Order \_\_\_\_\_  
 Sash \_\_\_\_\_  
 Dryer \_\_\_\_\_  
 Check # \_\_\_\_\_  
 Ship Date \_\_\_\_\_

## MATERIALS & SURFACES :

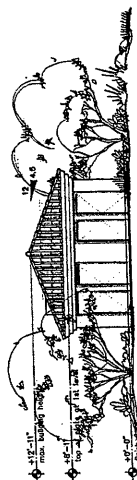
- STUCCO & WINDOW PROJECTIONS:**  
**(A)** TUSCAN BEIGE #F92430  
 SHIPMAN WALLMATS 17'x14" LATEX
- METALS:**  
**(B)** GREEN WALLBOARD #F92392  
 SHIPMAN WALLMATS
- ROOF TILE & PRECAST DECORATIVE PANELS:**  
**(C)** MARK RED CUSTOM  
 MARK RED CUSTOM  
 MARK RED CUSTOM  
 SHIPMAN WALLMATS #F92306
- DOORS:**  
**(D)** BEACH HOUSE #F92051



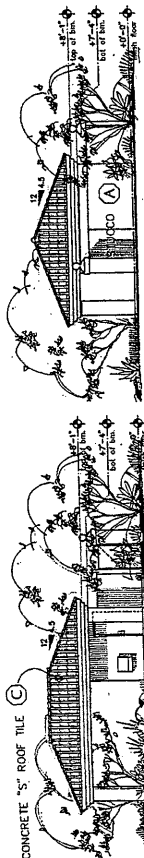
**GARAGE - FRONT ELEVATION**



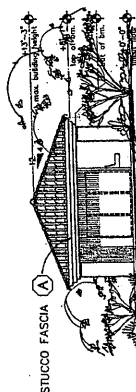
**GARAGE - REAR ELEVATION**



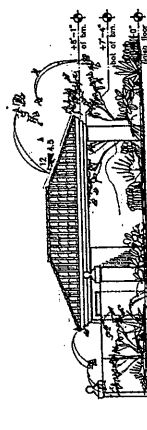
**GARAGE - SIDE ELEVATION**



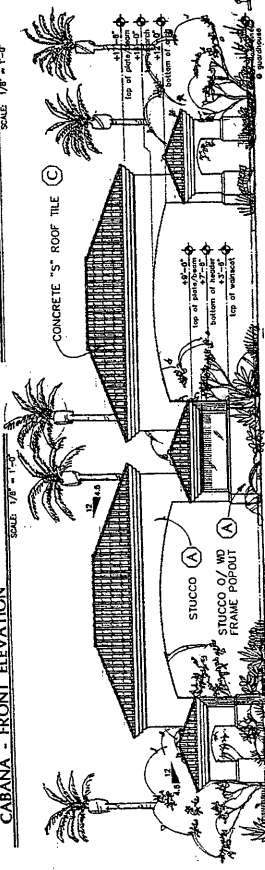
CABANA - FRONT ELEVATION



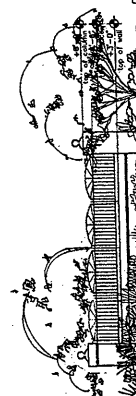
**CABANA - LEFT SIDE ELEVATION**



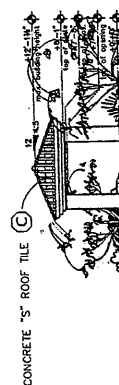
**CABANA - REAR ELEVATION**



ENTRANCE PORTE COCHERE



TYPICAL SCREEN WALL



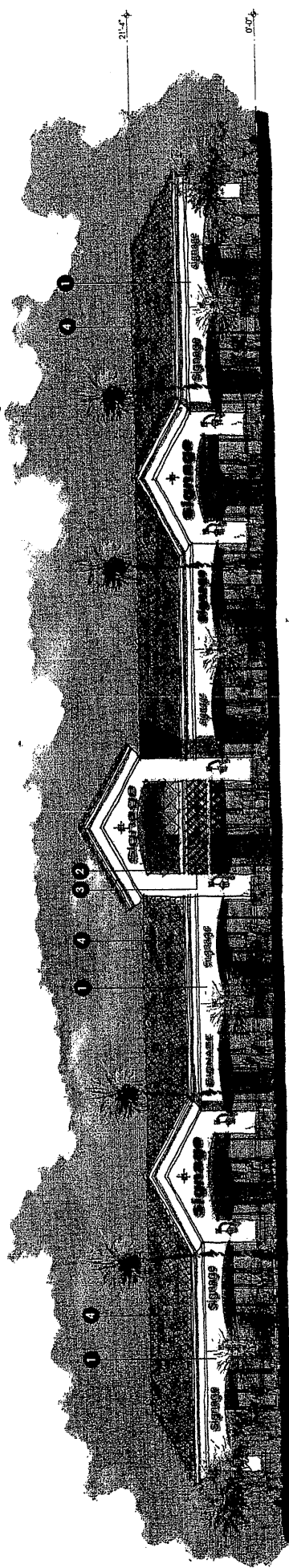
**TYPICAL RAMADA ELEVATION**

**NOTE:** MASONRY WALL SHALL BE MIN 3'-0" ABOVE CLOSEST ADJACENT PAVEMENT

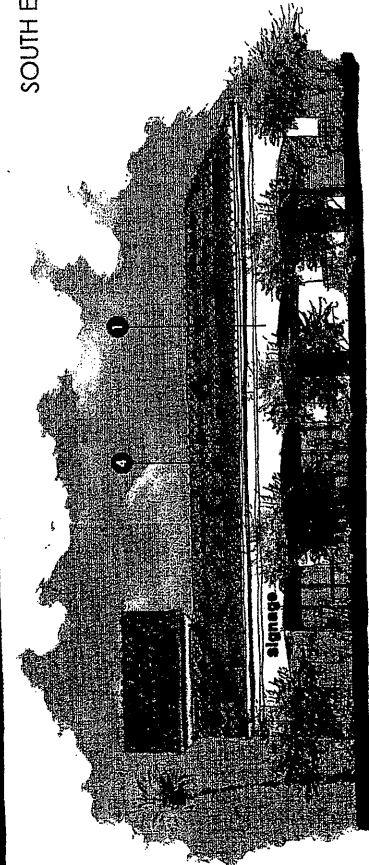
Garage, Cabana, Ramada, Porte Cochere and Fence Elevations

APR 3 2002

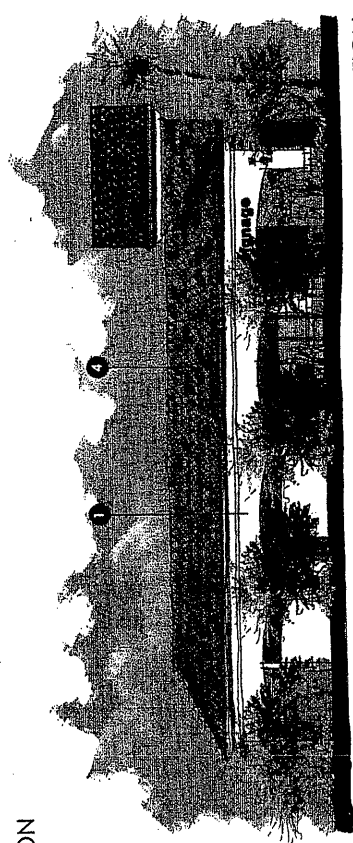
SIP. 2002.34



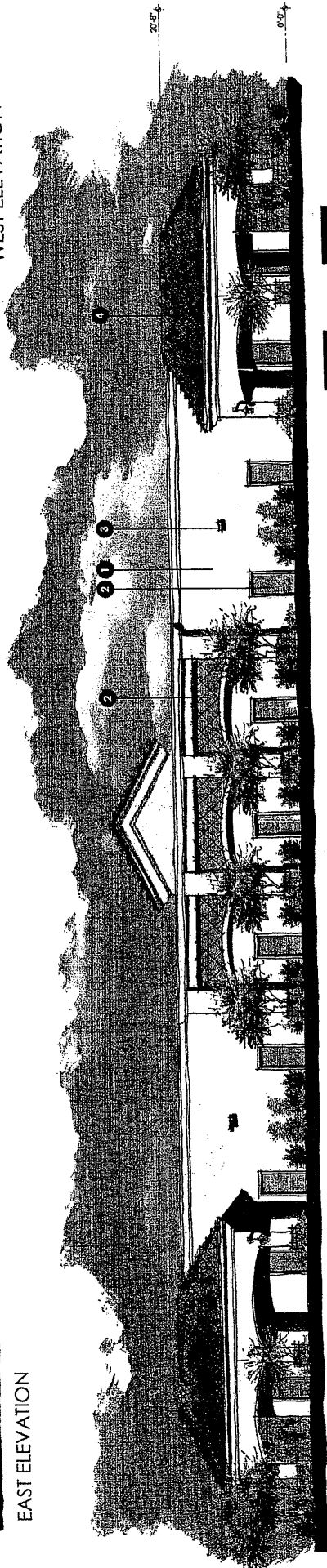
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



1  
BRICK CLAY  
CLAY  
CLAY  
CLAY



2  
BRICK CLAY  
CLAY  
CLAY  
CLAY



3  
BRICK CLAY  
CLAY  
CLAY  
CLAY



4  
BRICK CLAY  
CLAY  
CLAY  
CLAY

CONCEPTUAL ELEVATIONS AND MATERIALS

N.W.C. BROADWAY & MCCLINTOCK

PROPOSED RETAIL SHOPS  
TEMPE, ARIZONA

00054.00  
APRIL 12, 2002

SUNBELT MANAGEMENT COMPANY

EL8



APR 3 0 2002 SIP-2002-34

# KEY NOTES: ①

1. CONC. ROOF TILE - CHERRYBROOK #102306
2. CLT'S OVER MASONRY - TUSCAN BRICK #102301
3. STAINLESS STEEL - DARK BRONZE ANODIZED
4. 4" x 4" x 1/2" CMU - BEACH HOUSE #102301
5. 4" x 4" x 1/2" CMU - BEACH HOUSE #102301
6. 4" x 4" x 1/2" CMU - BEACH HOUSE #102301
7. WALLING - TANTIC YELLOW
8. WALL-UP DOOR - BEACH HOUSE #102301
9. SECURITY CAMERA
10. SCUPPER AND DOWNPOUT - BEACH HOUSE #102301

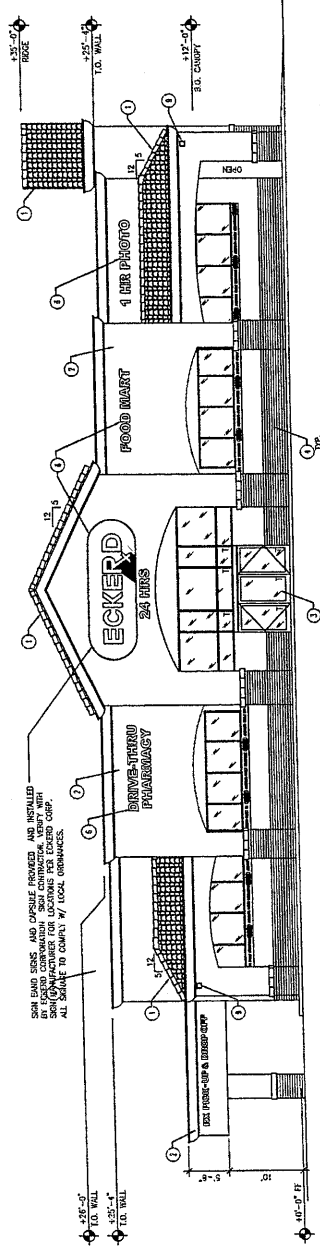
DESIGNER: ANDREWS DESIGN GROUP INC.  
1750 E. BROADWAY ROAD  
TEMPE, ARIZONA 85282  
PHONE: (480) 894-3544  
FAX: (480) 894-3544  
CONTACT: LEE WAGER  
DATE: 04/15/02

PROJECT: ECKERD DRUG  
1750 E. BROADWAY ROAD  
TEMPE, ARIZONA 85282  
PHONE: (480) 894-3544  
FAX: (480) 894-3544  
CONTACT: LEE WAGER  
DATE: 04/15/02

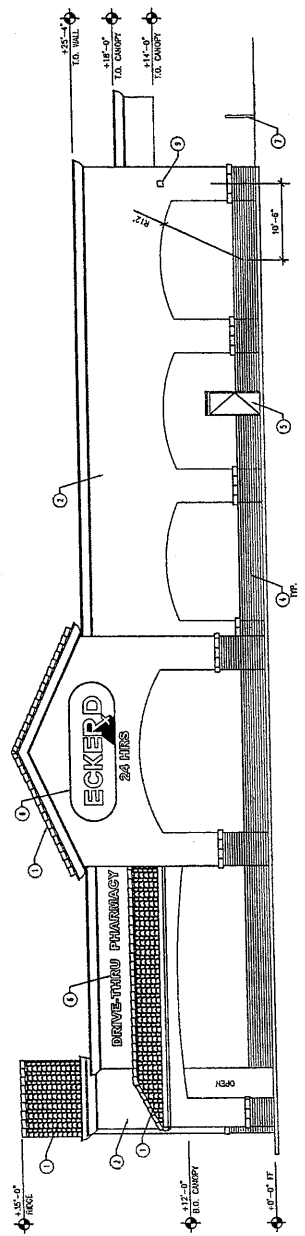
NO.	DATE	REVISIONS
1		
2		
3		

EL9

DATE: 04/15/02



SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



EAST ELEVATION  
SCALE: 1/8" = 1'-0"

**ECKERD**  
ECKERD DRUG  
1750 E. BROADWAY ROAD  
TEMPE, ARIZONA  
ADG PROJECT NO. A2402

Andrews Design Group, Inc.

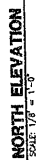


ARCHITECTURE PLANNING INTERIORS PROJECT MANAGEMENT

1425 W. SOUTHERN AVE #10-A TEMPE, ARIZONA 85282 (480) 894-3544 FAX: (480) 894-6444

APR 30 2002 51P.2002.34

1. CONC. ROOF TILE - CHAMBERS BWS #FW2356
2. E.L.F.S. OVER WASHORY - TUSCON BRIDGE #FW2430
3. STREETSIDE SYSTEM - DARK BRIDGE UNDOCKED
4. 4" x 4" x 16" CMU - BEACH HOUSE #FW2051
5. H.M. DOOR - BEACH HOUSE #FW2051
6. SCHWAGE - UNDER SEPARATE PERMIT
7. BOLLARD - TRAFFIC YELLOW
8. ROLL-UP DOOR - BEACH HOUSE #FW2051
9. SECURITY CAMERA
10. SCRAMPER AND DOWNPOUT - BEACH HOUSE #FW2051

[illegible]

No.	DATE	REVISIONS:
1		
2		
3		

EL10  
DATE: 04/15/02

**ECKERD**  
ECKERD DRUG  
1750 E. BROADWAY ROAD  
TEMPE, ARIZONA  
AUG PROJECT NO. A2402

**ECKERD**  
ECKERD BRIGS  
1000 N. BROADWAY ROAD  
TEMPE, ARIZONA  
ADG PROJECT No. A2402  
FAX: (480) 884-6444

Andrews Design Group, Inc.

25

ARCHITECTURE PLANNING

## INTERVIEW

## PROJECT MANAGEMENT

APR 30 2002

1425 W. SOUTHERN AVE #10-A LEMAY, MISSOURI 63104







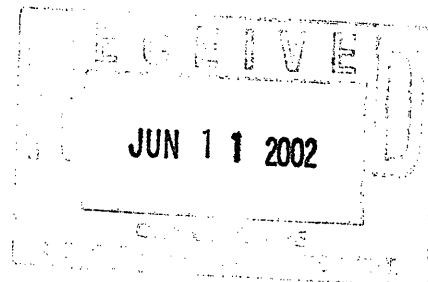
**EARL, CURLEY & LAGARDE, P.C.**  
ATTORNEYS AT LAW

Telephone (602) 265-0094  
Telefax (602) 265-2195

3101 N. Central Avenue  
Suite 1000  
Phoenix, Arizona 85012

June 11, 2002  
**REVISED**

Fred Brittingham  
Planning Director  
City of Tempe  
31 East 5<sup>th</sup> Street  
Tempe, AZ 85281



Re: Request for Rezoning, Site Plan and Preliminary Plat Approval  
NWC McClintock Drive and Broadway Road  
Mark-Taylor Development

Dear Fred:

As you know, our client, Mark-Taylor Development ("Mark-Taylor") proposes to master plan the above-referenced 17.92 net acre site shown in the attached materials to allow an upscale multifamily project and supporting neighborhood retail along Broadway Road at the northwest corner of McClintock Drive and Broadway Road. Although this site is not well located for major retail or employment uses (despite its I-2 zoning) given; 1) its configuration, 2) location surrounded by residential uses and 3) limited useable frontage on McClintock Drive, it is for these same reasons that the site was very attractive to Mark-Taylor for a high-end multifamily community. Mark-Taylor's experience, the quality of their residential developments and property management capabilities are the perfect solution for this property that has been a vacant eyesore for the last twenty plus years since the Fedmart store closed and was removed.

Specifically, we are requesting that the property be rezoned from I-2 to R-3 (14.58 ac) and C-1 (3.34 ac). We are also requesting site plan approval for both the luxury apartments (along with several variances) and the retail and approval of a preliminary subdivision plat.

The project has changed slightly from the original submittal principally to respond to Staff's comments on site layout and architecture. The width of the multi-family site frontage on Broadway Road is 103' 4" (55' wider) to incorporate the community's signage in the driveway median. A new parking courtyard and focal point have been incorporated into the middle of the community at Staff's request. The in-line shops retail building has been moved closer to Broadway and new parking spaces needed to meet the drug-stores requirement have been placed behind the drug-store building. Both retail pads still provide almost double the code requirement of 15% landscaping of the net site.

## **PROPERTY HISTORY / CHARACTERISTICS**

The subject site, located at the northwest corner of Broadway Road and McClintock Drive, has not redeveloped during the past 20 plus years for a number of reasons. Although the site is quite large and technically has frontage on two major streets, its actual developability is quite limited. Large retail or office developments require more accessible street frontage than this site can offer due to the depression of McClintock Road under the railroad tracks to the north. Moreover, there is residential north of railroad right-of-way and an older apartment project to the west which would not benefit from a heavy industrial use on this property. And although the site abuts a rail line, rail access is not available.

Retail uses did not and do not work for this site because there is no way to site plan the property to maintain any kind of visual presence for the tenants. The property is too deep and has relatively narrow street frontages on Broadway and McClintock for access which limits this site's usefulness for major retailers. A large retail complex, even if demographically feasible, would likely be detrimental to the struggling retail centers at the southeast and southwest corners of the intersection. The property has also been passed over all these years because demographically, the preferred location for large retail users is just south of the freeway at Baseline rather than north of the freeway.

We believe the proper solution for this passed over parcel is to increase the population in the area and give a boost to the struggling retail uses on the south side of Broadway with the proposed luxury apartment units and a new, well designed and pedestrian friendly neighborhood center on this corner. The Mark-Taylor plan proposes to integrate neighborhood retail with high-end multifamily housing. A drugstore is perfectly suited for this type of location because residents will not have to drive to the store, which by the way is reminiscent of the old style corner markets from years ago, i.e. one store provides a broad range of goods to meet daily needs. To encourage the interaction between the retail and the multifamily, Mark-Taylor has incorporated elaborate landscaped pedestrian walkways and plazas between the multifamily and the retail. The architecture and design will also be integrated.

## **PROJECT DESCRIPTION AND DESIGN ELEMENTS**

### ***Luxury Apartment Community***

This request seeks a change in zoning on approximately 14.58 acres to R-3 to allow the development of 276 dwelling units, resulting in a net density of approximately 18.9 units per acre. Mark-Taylor residential communities in Tempe and around the valley are well known for their upscale living environment, which emphasizes urban sophistication for the resident who appreciate the ambiance of resort-like surroundings, thoughtful concierge service, unique designs and wide ranging amenities. Mark-Taylor's communities have been awarded both local and national awards for their excellence.

Project amenities will include a 4,000 square foot clubhouse that will contain the leasing office, a social hall with kitchen and bar facilities and a fitness center with quality club-like exercise equipment. There is also a big screen television, cabana, heated pool and spa with extensive cool decking and sand volleyball court in this area. Spread throughout the project are various ramadas with lighted fans and gas barbecues for the use of the project's residents. Other amenities include detached garages (with remote openers). The site will be heavily landscaped to create the lush interior and exterior environment that is the hallmark of Mark-Taylor communities.

There will be two access points for the project. The apartments will use one of the entrances for it's primary access on Broadway Road. The primary access will be a focal point with an attractive porte cochere and guardhouse. A secondary point on McClintock Road will be provided for emergency access and resident "exit only" if the traffic study indicates the need. The majority of the site has been designed so that the units have convenient access to the amenity areas without having to cross parking and circulation areas.

The architecture utilized by Mark-Taylor will be consistent with their signature quality building design including stucco exteriors, tile roofs and distinctive architectural features. The elevations for each of the buildings contain significant articulation, elevation relief and arched windows in order to create a pleasant Mediterranean style appearance.

With respect to the individual units, the average unit size is 950 square feet and the average rent today is \$1,015 per month. Each of the units will contain private balconies or patios, arched windows, storage rooms and spacious walk-in closets. Some of the features that are included in all of the residential units are mini blinds/vertical blinds, microwave ovens, ceiling fan hook-up, and walk-in pantries, 9-foot ceilings in all units, fireplaces, tile entryways, wall-to-wall designer carpets, large walk-in closets, and an oversized bathtub in each master bath. Units will contain full-size washers/dryers and will be pre-wired for cable television and security. All units will contain smoke detectors.

The site will contain a combination of two-story and three-story buildings, which will serve to create a more interesting architectural appearance on the property rather than the uniform building height found in many apartment complexes. The two-story units have been placed at locations on the perimeter of the property in order to provide some visual relief from the adjacent properties. The three-story components have been concentrated at the center of the site and along the north property line where this visibility issue is minimized.

### ***Neighborhood Retail***

The retail portion of this project (3.34 net ac) is proposed to front along Broadway Road. The retail will consist of a 14,139 square foot drug store and 12,000 square feet of in-line shop space. The retail is proposed to be rezoned from I-2 to C-1 to allow neighborhood level retail uses. Three (3) points of pedestrian access, with landscaping and decorative pavement are provided to facilitate interaction between residents of the luxury apartment

community and the retailers. The drugstore is a very appropriate use near and integrated with higher density housing. Drugstores are similar in many respects to the old neighborhood grocery stores, which sold all types of goods—not just groceries. Today, drugstores have a very strong focus on the provision of goods and services on a daily or weekly basis. The in-line stop space is envisioned to also be neighborhood level types of uses.

The retail shares vehicular access at one driveway with the luxury apartments and the pedestrian linkages noted earlier. The retail center also has another access onto Broadway and one onto McClintock. The perimeter landscape street setback is approximately 15'. All setbacks and the building heights meet code. No variances are needed for the retail buildings.

### **GENERAL PLAN CONSISTENCY**

Although the subject property is zoned I-2, Heavy Industrial, it is designated in the General Plan for Mixed Use. This is a category that encourages creatively designed projects that combine uses. In this project we have combined retail and multiple family uses. This project has been designed to integrate the two uses through vehicular access, architectural style and pedestrian linkages.

### **REQUESTED VARIANCES**

With this project, Mark-Taylor is requesting approval of several important variances. These variances are for bicycle parking, building setbacks/separations, and building height. Experience with other Mark-Taylor communities in Tempe and the east valley has shown that the proposed variances are consistent with use patterns and renter profiles for these upscale apartment communities and do not negatively impact surrounding properties. A detailed listing of these variances and rationale for their approval are presented in Attachment No. 1.

### **CONCLUSION**

Both the private sector and the City have tried for over twenty years to redevelop the subject property. Numerous intensive development and marketing efforts have not yielded any results. As noted previously, the very reasons that have made this site so difficult for commercial development, i.e. poor visibility due to the property's depth, lack of useable street frontage and location make it work well for an upscale rental housing project. Moreover, there are no negative impacts on any adjacent use. The older apartments to the west and the neighborhood to the north will be well buffered by distance, mature landscaping and no common access. All of the impacts are positive. This is a unique opportunity to bring new, attractive development to this area. Mark-Taylor's local market success has come from

Fred Brittingham

June 11, 2002

Page 5

selection of excellent locations that appeal to their target markets. Mark-Taylor's seeks out niches to provide luxury living opportunities that are conveniently located near employment centers, shopping and regional transportation corridors, recreational activities. Mark-Taylor provides distinctive living environments for those individuals who make a lifestyle choice to rent rather than own and yet wish to live in prestigious, highly amenitized, secure environment.

We believe, after reviewing all of the facts, that this high-end multifamily project will be an excellent addition to this area.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen C. Earl", with a date "7.6.02" written to the right of the signature.

SCE/mr

Enclosures: As stated

## **JUSTIFICATION OF VARIANCES**

### **1- Increase Building Height for 3-Story Buildings to 40'**

In order to effectively implement a quality site plan with 2 and 3-story components, it is necessary to request a variance to allow building heights of 40 feet for the three- (3) story elements (as measured from adjacent grade). We have requested the R-3 zoning district because this district accommodates our density but unfortunately the R-3 development standards limit building heights to only 30'.

Our proposed height (as measured from finish floor elevation) is 37' 4". The 30' limit in R-3 could be accommodated by reducing interior ceiling heights from 9' to 8' but that would result in a decrease of project quality. The remaining 6' 4" reduction (to limit building heights to 30') could be accommodated by flattening the roof slope. However, this would compromise the Mediterranean architectural style, again resulting in a reduction of quality. And we still have no assurance that the site's topography won't require further reductions (and compromises in building design) to comply with the City's method of measuring building height. The additional 10 feet (30' to 40') is the minimum necessary to accommodate the architectural upgrades and the potential for onsite grade changes.

The design of Mark-Taylor units, as evidenced in the elevation submittal portray a quality architectural design with significant building articulation and design features which serve to create a quality appearance. These design features include stucco exteriors, tile roofs, arched windows and a significant amount of building articulation that results in a pleasant aesthetic experience. The appearance of building height and mass is diffused considerably by virtue of the varying wall planes and rooflines that comprise the Mark-Taylor residential dwellings. The design of this site has been prepared in an attempt to place the three-story buildings in areas that will minimize any potential impact on the surrounding existing development. The three-story buildings on the west are adjacent to parking and three-story apartments. The 100 feet wide railroad right-of-way and an additional onsite setback of 80 feet separate the three-story buildings on the north from the residential that is across the railroad tracks.

### **2- Courtyard Separation**

As part of the site design, it has been necessary to request a reduction of the required building courtyard separation for building nos. 1-22 from 50', 40' and 30' to 24 feet. Although 24 feet still provides sufficient space for light and air between the buildings, it also allows a building design that maximizes interior open space for the residents. The courtyard separation that is being requested for this site is consistent with the separation that is found in other Mark-Taylor developments in Tempe and it has proved to be a successful design that creates a wonderful interior experience for the residents. There are

a number of two-story buildings that have a corridor of 22 feet but these buildings are not deemed to be separate because of the architectural connection that they have.

3- **Recreational Vehicle Parking**

As part of this site plan, a request to reduce the recreational vehicle parking from 14 to 0 spaces is included. Based upon Mark Taylor's experience with its other projects, and the projected renter profile in this project, we have determined that recreational vehicle parking spaces are not going to be needed or used. We are requesting that the requirement for RV spaces in this project be eliminated. Providing the spaces will only serve to reduce the amount of on site open space available for the residents. We strongly believe that an area utilized for open spaces is much more practical than the recreational vehicle parking spaces.

4- **Bicycle Parking**

We are requesting a variance from the requirement to provide 276 bicycle-parking spaces. First, we do not believe that the "ASU Commuting Area" requirement should be applicable to this project because of the demographics associated with this luxury apartment community. Mark-Taylor, by policy, does not permit residents in their apartment complexes unless they meet fairly demanding financial qualifications. These qualifications eliminate the vast majority of student population who might otherwise desire to live at the complex. Furthermore, it should be noted that Mark-Taylor does not allow a parent to co-sign a lease in order to qualify an otherwise non-qualified student.

The demographics for Mary Taylor's typical luxury apartment communities have an average resident age of 35 and the average rent for this development is expected to be over \$1,015 per month. We believe that given these parameters, our renter profile is such that these will be a much-reduced need for bicycle parking that will be in line with normal code requirements.

This site plan has been designed to provide 144 spaces, which is slightly more than the normal code requirement for bicycle parking of 138 bicycles.

5- **Yard and Landscape Setbacks**

We have several setback variances which are needed due to the unique nature of this property. Meeting code requirements would cause a hardship that is unnecessary.

- a. **South-** We are requesting to reduce the required front yard setbacks (for a garage building and landscaping) on the south property line from 25' to 15' respectively. This is the boundary between the retail and the apartments and so functions like an interior yard not a front yard. The 25' front yard requirement imposes an

unnecessary hardship. The site plan has built in sufficient landscape setbacks for parking and accessory building separations.

- b. North- Three (3) one-story garage buildings are located on the north property line (rear yard). Code requires a setback of 15' and a 6' landscape strip. We are requesting a variance from these two requirements because these buildings are not generally visible by the public, are not located on a public thoroughfare and are separated from the property to the north by the 100' wide Southern Pacific Rail Road right-of-way. As such, a 15' setback (and landscape strip) does not contribute to the subject property or adjacent properties light, air and space needs.
- c. East- Reduce the required 25' street side setback on McClintock Drive to 14' for one (1) story garage buildings and the proposed 6'-8' wall. The garages are actually located 45' back of curb and at a point where McClintock Road begins its descent under the railroad tracks. Meeting the code requirement is not necessary to meet the intent of the Ordinance and will impose a hardship.
- d. West- Reduce the minimum required side yard setback from 10' to 9' for porte-cochere columns adjacent to the vacant restaurant property parking lot and for a garage building which is adjacent to parking for the apartments to the west. The depth of the landscape setback north and south of the porte-cochere is approximately 28'. The depth of the landscape setback north and south of the garage building is approximately 18'. In both instances, the requested reduction is for a small distance and is offset by the deeper landscape setback which is substantially than required.

ORDINANCE NO. 808.2002.04

AN ORDINANCE AMENDING SECTION I OF PART 2.F. OF  
ORDINANCE NO. 808 OF THE CITY OF TEMPE AND THE  
DISTRICT ZONING MAP ACCOMPANYING AND MADE  
PART OF THE SAID ORDINANCE NO. 808.

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE,  
ARIZONA, as follows:

SECTION 1. That Section I.2.F. of Ordinance No. 808 of the Zoning Ordinance  
of the City of Tempe and the District Zoning Map of the City of Tempe accompanying and made  
a part of the said Ordinance No. 808 be and they are hereby amended by removing the below  
described property from the I-2 General Industrial and including it in the R-3 Multi-Family  
Residential Limited.

LEGAL DESCRIPTION

Parcel A

A portion of the southeast quarter of Section 23, Township  
1 North, Range 4 East, Gila and Salt River Meridian,  
Maricopa County, Arizona, being more particularly  
described as follows:

COMMENCING at the southeast corner of said Section 23;  
Thence North 89 degrees 59 minutes 00 seconds West,  
along the south line of said southeast quarter, 85.11 feet;  
Thence North 00 degrees 01 minutes 00 seconds East,  
55.00 feet to a point on the northerly right-of-way line of  
Broadway Road marking the POINT OF BEGINNING.  
Thence North 89 degrees 59 minutes 00 seconds West,  
along said right-of-way line, 219.00 feet;  
Thence North 00 degrees 06 minutes 00 seconds West,  
319.44 feet;  
Thence North 89 degrees 54 minutes 00 seconds East,  
239.00 feet to the westerly right-of-way line of McClintock  
Drive;  
Thence South 00 degrees 06 minutes 00 seconds East,  
along said right-of-way line, 299.93 feet;

Thence South 44 degrees 57 minutes 30 seconds West, 28.26 feet to the POING OF BEGINNING, as shown on Exhibit "A" attached herewith as page 2 of 2. Subject parcel comprising 1.749 acres, more or less, and subject to all easements of record.

Parcel B

A portion of the southeast quarter of Section 23, Township 1 North, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the southeast corner of said Section 23; Thence North 89 degrees 59 minutes 00 seconds West, along the south line of said southeast quarter, 304.11 feet; Thence North 00 degrees 01 minutes 00 seconds East, 55.00 feet to a point on the northerly right-of-way line of Broadway Road marking the POINT OF BEGINNING; Thence North 89 degrees 59 minutes 00 seconds West, along said right-of-way line, 345.99 feet; Thence North 00 degrees 06 minutes 00 seconds West, 238.32 feet; Thence North 89 degrees 54 minutes 00 seconds East, 345.99 feet; Thence South 00 degrees 06 minutes 00 seconds East, 239.02 feet to the POINT OF BEGINNING as shown on Exhibit "A" attached heerwith as page 2 of 2. Subject parcel comprising 1.896 acres, more or less, and subject to all casements of record.

Parcel C

A portion of the southeast quarter of Section 23, Township 1 North, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the southeast corner of said Section 23; Thence North 89 degrees 59 minutes 00 seconds West, along the south line of said southeast quarter, 698.00 feet; Thence North 00 degrees 06 minutes 00 seconds West, 55.00 feet to a point on the northerly right-of-way line of Broadway Road marking the POINT OF BEGINNING; Thence continuing North 00 degrees 06 minutes 00 seconds West, 809.46 feet to the beginning of a curve with a radius of 382.24 feet to the left; Thence northwesterly, along the arc of said curve, through a central angle of 44 degrees 27 minutes 11 seconds, for an arc distance of 296.56 feet to the beginning of a non-tangent line;

Thence South 89 degrees 36 minutes 00 seconds West, parallel with and 150.00 feet south of the centerline of the main track of the Phoenix Subdivision of the Union Pacific Railroad Company, a distance of 21.33 feet to the beginning of a non-tangent curve, the center of which bears South 43 degrees 07 minutes 43 seconds West, 367.24 feet; Thence northwesterly, along the arc of said curve to the left, through a central angle of 19 degrees 49 minutes 32 seconds for an arc distance of 127.07 feet to the beginning of a non-tangent line; Thence North 00 degrees 24 minutes 00 seconds West, 47.00 feet; Thence North 89 degrees 36 minutes 00 seconds East, parallel with and 33.00 feet south of the aforementioned centerline of the main track, a distance of 856.63 feet to the westerly right-of-way line of McClintock Drive; Thence South 00 degrees 06 minutes 00 seconds East, along said right-of-way line, 717.29 feet; Thence North 89 degrees 54 minutes 00 seconds East, continuing along said right-of-way line, 13.00 feet; Thence South 00 degrees 06 minutes 00 seconds East, continuing along said right-of-way line, 162.04 feet; Thence South 89 degrees 54 minutes 00 seconds West, 239.00 feet; Thence South 00 degrees 06 minutes 00 seconds East, 80.42 feet; Thence South 89 degrees 54 minutes 00 seconds West 345.99 feet; Thence South 00 degrees 06 minutes 00 seconds East, 238.32 feet to the aforementioned northerly right-of-way line of Broadway Road; Thence North 89 degrees 59 minutes 00 seconds West, along said right-of-way line, 48.02 feet to the POINT OF BEGINNING. Subject parcel comprising 14.281 acres, more or less, and subject to all easements of record.

SECTION 2.. Further, those conditions of approval imposed by the City Council, **Case #ZON-2002.03** are hereby expressly incorporated in ordinance by this reference.

PASSED AND ADOPTED by the City Council of the City of Tempe, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney

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Development Services Director

# MINUTES



## Planning & Zoning Commission

**T U E S D A Y  
J U N E 25, 2002**

### PRE-SESSION

The pre-session of the Planning and Zoning Commission began at 6:30 p.m., in the Development Services Conference Room 1 (Garden Level-East Side), 31 East Fifth Street. Present were Chairman Huellmantel, Vice-Chairman DiDomenico, Commissioners Crusa, Vaz, Collett and Alternate Commissioner MacDonald. Commissioner Oteri and Duke were absent. Also present were Steve Venker, Principal Planner; DeeDee Kimbrell, Planner II; and 4 interested citizens.

- Agenda and Consent Item:
  - Mark Taylor Development, #ZON-2002.03, #SBD-2002.35, #SIP-2002.34.

Diana Kaminski, Senior Planner, presented and discussed with the Commission the General Plan 2030 process.

The pre-session of the Planning & Zoning Commission adjourned at 7:00 p.m.

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### REGULAR MEETING

The regular meeting of the Planning and Zoning Commission began at 7:07 p.m., in the City Council Chambers, 31 E. Fifth Street. Present were Chairman Huellmantel, Vice-Chairman DiDomenico, Commissioners Crusa, Vaz, Collett and Alternate Commissioner MacDonald. Commissioner Oteri and Duke were absent. Also present were Steve Venker, Principal Planner; DeeDee Kimbrell, Planner II; and 10 interested citizens.

Chairman Huellmantel explained that it takes four affirmative votes for approval by the Commission. With six Commissioners present, Chairman Huellmantel stated that the Chair would entertain a request from the applicant for a continuance. The applicant did not request a continuance.

**PLANNED DEVELOPMENT (0406)** Hold a public hearing for **MARK TAYLOR DEVELOPMENT** (Sunbelt Management Company, Jeff Smith, property owner) for a zoning change from I-2 to R-3 and to C-1, a site plan for 276 apartment units, and 26,139 s.f. of retail space, all on 17.91 net acres, located at 1720 East Broadway Road. The following approval is requested from the City of Tempe:

**#ZON-2002.03** A zoning change from I-2, General Industrial to R-3, Multi-Family Residential Limited on 16.24 gross acres (Parcel C), and to C-1, Neighborhood Commercial on 4.57 gross acres (Parcels A and B).

**#SBD-2002.35** A Preliminary and Final Subdivision plat for three parcels on 17.91 net acres.

**FILE COPY**

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**#SIP-2002.34** A site plan for 276 two and three story high apartment units (80 one-bedroom units, 156 two-bedroom units, and 40 three-bedroom units) on 14.58 net acres (Parcel C), a 14,139 s.f. commercial building on 1.75 net acres (Parcel A), and a 12,000 s.f. building for retail shops on 1.59 net acres (Parcel B).

Variance (R-3, Multi-Family Residential Limited, Parcel C):

1. Increase the maximum allowed building height from 30 feet to 40 feet.
2. Reduce the minimum required front yard building setback from 25 feet to 15 feet, along the south side property line.
3. Reduce the minimum required street side yard building setback from 25 feet to 14 feet, along the east property line (McClintock Drive).
4. Reduce the minimum required side yard building setback from 10 feet to 9 feet, along the west property line.
5. Reduce the minimum required rear yard building setback from 15 feet to 5 feet and eliminate the 6 foot landscaping strip buffer for the length of the parking garages labeled as G2, G3, and G4, along the north side property line.
6. Reduce the minimum required courtyard separation for buildings 1 through 20 from 50 feet to 22 feet, and from 40 feet to 24 feet for buildings 21 and 22.
7. Reduce the minimum required bicycle parking spaces within the Arizona State University Commuting Area from 276 to 144 spaces.
8. Reduce the minimum required number of recreational vehicles parking spaces from 14 to 0.
9. Reduce the minimum required landscape setback from 25 feet to 14 feet along the east property line and from 25 feet to 15 feet along the south property line.

This item was originally scheduled for the consent agenda but a gentlemen in the audience opposed the request and wanted the case to be heard.

Stephen Earl, Attorney representing the applicant, described the project and presented photos of other Mark Taylor projects. These will be high end apartments with rentals being approximately \$1,000. Renters will be "empty nesters" or singles.

The following person spoke on the request:

John Baron – opposed the request due to the size of the buildings. Mr. Baron lives near Mill and Southern Avenue and believes the buildings are too big for the site. He is also concerned with the number of variances requested.

The Commission discussed with Mr. Earl the building setback variances, bicycle parking reduction, RV parking reduction, Eckerd's portion of the site, and the retail shops portion of the site.

**MOTION:** Commissioner DiDomenico made a motion to approve #ZON-2002.03, #SBD-2002.35, #SIP-2002.34 subject to the conditions as listed on the staff report with a modification to Condition #2a and an added condition. Commissioner Vaz seconded the motion.

Commissioner Collett expressed concern that there are too many apartments in this area of Tempe; whereas in the southern part of Tempe there is ownership opportunity. Commissioner Collett will not support the project.

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Chairman Huellmantel stated that Mark Taylor builds quality apartments. The setback variances are well justified at garages and other variances contribute to aesthetics of project. He will support the project.

**VOTE:** Passed 5-1 (Commissioner Collett dissented)

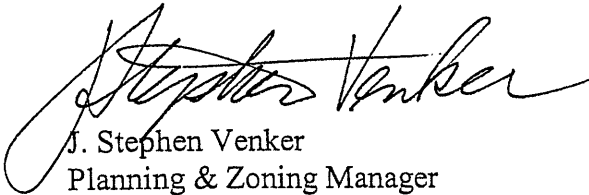
The approval was subject to the following conditions:

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
- b. Off-site improvements to bring roadways to current standards include:
  - (1) Water lines and fire hydrants
  - (2) Sewer lines
  - (3) Storm drains
  - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
- c. Fees to be paid with the development of this project include:
  - (1) Water and sewer development fees
  - (2) Water and/or sewer participation charges
  - (3) Inspection and testing fees
- d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
2. a. All street dedications shall be made within one (1) year of Council approval (**August 8, 2003**).  
**(MODIFIED BY COMMISSION)**
- b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
- c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the code of the City of Tempe - Section 25.120.
3. The applicant/owner shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.
4. No variances may be created by future property lines without the prior approval of the City of Tempe.
5. A valid building permit shall be obtained and substantial construction commenced on or before **August 8, 2003** or the variances shall be deemed null and void.
6. A building permit shall be obtained and substantial construction commenced on or before **August 8, 2004** or the zoning shall revert to that in place at the time of application, subject to a public hearing.

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7. The applicant shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
8. Project shall pass the Quality Study and be approved by the Design Review Board prior to Council action.
9. The applicant shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.
10. The Final Subdivision Plat shall be put into proper-engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe Development Services Department on or before, **August 8, 2003**. Failure to record the plan within one year of Council approval shall make the plan null and void.
11. Show and provide easement on north property line to allow future point of access to pedestrian/bike facility. Final details to be approved by Transit staff prior to issuance of building permits. **(ADDED BY COMMISSION)**

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The regular meeting of the Planning & Zoning Commission adjourned at 7:43 p.m.

  
J. Stephen Venker  
Planning & Zoning Manager

JSV/jrh

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